

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

**MELVIN JOHNAKIN, individually and on
behalf of all others similarly situated,**

Plaintiff,

v.

**UNITED STATES POSTAL SERVICE,
LOUIS DEJOY, in his official capacity as
Postmaster General of the United States
Postal Service, DONALD J. TRUMP, in his
official Capacity as President of the United
States of America,**

Defendants.

Case No. 20-cv-4055

**STIPULATION AND ORDER TO EXTEND TIME FOR DEFENDANTS TO RESPOND
TO PLAINTIFF’S MOTION FOR A PRELIMINARY INJUNCTION; ORDER**

IT IS HEREBY STIPULATED by and between the parties hereto through their respective attorneys that Defendants’ deadline to respond to Plaintiff’s motion for a preliminary injunction (ECF No. 5) is extended to Friday, October 9, 2020. Good cause exists for the extension. As the Court is aware, on September 28, 2020, the Court entered a preliminary injunction in the related case *Pennsylvania v. DeJoy*, No. 20-cv-4096 (E.D. Pa.). As part of its order, the Court directed Defendants to comply with the “Clarifying Operational Instructions” issued September 21, 2020, adopted in response to the preliminary injunction entered in *Washington v. Trump*, No. 20-cv-3127, 2020 WL 5568557 (E.D. Wash. Sept. 17, 2020). Two other federal courts have also entered preliminary injunctions in related cases. *See Jones v. U.S. Postal Serv.*, No. 20-cv-06516 (S.D.N.Y. Sept. 25, 2020), ECF No. 57; *New York v. Trump*, No. 20-cv-2340 (D.D.C. Sept. 27, 2020), ECF No. 51; *Vote Forward v. DeJoy*, No. 20-cv-2405 (D.D.C. Sept. 28, 2020), ECF No. 31. The parties

agree that it is in the interest of judicial economy to extend Defendants' deadline to respond to Plaintiff's motion for a preliminary injunction while the parties assess the effect of these developments on this case.

Dated: October 1, 2020

Respectfully submitted,

JEFFREY BOSSERT CLARK
Acting Assistant Attorney General

WILLIAM M. McSWAIN
U.S. Attorney for the
Eastern District of Pennsylvania

ERIC WOMACK
Assistant Branch Director, Federal Programs Branch

/s/ John Robinson
JOSEPH E. BORSON
KUNTAL V. CHOLERA
ALEXIS ECHOLS
DENA ROTH
JOHN ROBINSON (D.C. Bar No. 1044072)
Trial Attorney
U.S. Department of Justice
Civil Division, Federal Programs Branch
1100 L Street, NW
Washington, D.C. 20005
(202) 616-8489
john.j.robinson@usdoj.gov

Attorneys for Defendants

/s/ Michael T. van der Veen
Michael T. van der Veen, Esq. (Pa. Bar. No. 75616)
1219 Spruce Street
Philadelphia, PA 19107
(215) 545-1000
mtv@mtvlaw.com

Attorneys for Plaintiff

[PROPOSED] ORDER

Pursuant to the parties' stipulation, IT IS HEREBY ORDERED that Defendants' deadline to respond to Plaintiff's motion for a preliminary injunction is extended to Friday, October 9, 2020.

Honorable Gerald Austin McHugh
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on October 1, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all users receiving ECF notices for this case.

/s/ John Robinson

John Robinson
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L Street, NW
Washington, D.C. 20005

Attorney for Defendants